

# **EXHIBIT 24**

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CORY SPENCER, DIANA MILENA  
18 REED, and COASTAL PROTECTION  
RANGERS, INC.  
19

20 **UNITED STATES DISTRICT COURT**  
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
22

23 CORY SPENCER, an individual;  
24 DIANA MILENA REED, an  
individual; and COASTAL  
25 PROTECTION RANGERS, INC., a  
26 California non-profit public benefit  
corporation,

27 Plaintiffs,  
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF DIANA MILENA  
REED IN SUPPORT OF PLAINTIFFS'  
MOTION FOR CLASS  
CERTIFICATION**

Judge: Hon. S. James Otero  
Date: February 21, 2017  
Time: 10:00 a.m.  
Crtrm.: 10C

1  
2 v.

3 LUNADA BAY BOYS; THE  
4 INDIVIDUAL MEMBERS OF THE  
5 LUNADA BAY BOYS, including but  
6 not limited to SANG LEE, BRANT  
7 BLAKEMAN, ALAN JOHNSTON  
8 AKA JALIAN JOHNSTON,  
9 MICHAEL RAE PAPAYANS,  
10 ANGELO FERRARA, FRANK  
11 FERRARA, CHARLIE FERRARA,  
12 and N. F.; CITY OF PALOS  
13 VERDES ESTATES; CHIEF OF  
14 POLICE JEFF KEPLEY, in his  
15 representative capacity; and DOES  
16 1-10,

17 Defendants.

18 I, Diana Milena Reed, declare as follows:

19 1. I am an avid beachgoer and surfer and named Plaintiff in this  
20 matter. I am currently a resident of Malibu, where I have lived for  
21 approximately five years. I have personal knowledge of the matters set forth  
22 in this declaration and, if called as a witness, could and would testify  
23 competently as to its contents.

24 2. I lived in Dallas, Texas, from the age of 10, until moving to  
25 Malibu approximately in 2011.

26 3. I studied film production at the University of Southern California.  
27 I have worked as a freelance photographer, occasional model, filmmaker,  
28 and a surf camp director.

1 I have always loved the water and the ocean. I grew up as a  
2 competitive swimmer and played many sports. I took up paddle boarding  
3 while on a trip to Hawaii and really enjoyed it. I bought a Surf Diva paddle

1 board from Focus SUP Hawaii and signed up for paddle boarding and stand  
2 up paddle surf lessons from Becker in Malibu. I decided to try surfing shortly  
3 after paddle boarding because it looked like fun, I had enjoyed paddle  
4 boarding immensely and wanted to try something more difficult and  
5 challenge myself further. I was inspired to surf after watching Titans of  
6 Mavericks on television, the acclaimed and legendary surf contest, pitting  
7 elite athletes against the world's most dangerous wave. It inspired me to try  
8 surfing and I knew that one day I wanted to surf big waves.

9       5. I had my first surf lesson in approximately September 2014. I  
10 immediately fell in love with the sport. I signed up for private lessons with  
11 my coach and began surfing approximately three times a week. I continued  
12 taking three lessons per week, and as my skills improved, I began surfing  
13 about every day when conditions permitted. I enjoyed challenging myself  
14 and surfing bigger and bigger waves. I always went to surf at the beaches  
15 that had the biggest waves. I have surfed many different beaches along the  
16 California coast, including various spots throughout Orange County, San  
17 Clemente, Huntington Beach, Newport Beach, South Bay, Redondo Beach,  
18 Manhattan Beach, Venice Beach, Topanga, Malibu, Oxnard, Ventura, Santa  
19 Barbara, Morro Bay, Santa Cruz, and others.

20       6. I am an aspiring big wave surfer, which means that it is a goal of  
21 mine to one day surf big wave spots such as the legendary surf spot  
22 Mavericks just off the coastline of Half Moon Bay, California. I practice and  
23 train as hard as I can and am constantly challenging myself to surf the  
24 biggest waves possible. As I became more focused on big wave surfing, I  
25 heard from various people in the surfing community that Lunada Bay was  
26 one of the best big wave surf locations and the only true deep water, big  
27 wave surf spot in Southern California. Since learning about Lunada Bay, it  
28 has been a goal of mine to surf there, and use Lunada Bay as a big wave

1 training ground. I had heard that localism was prevalent at Lunada Bay,  
2 meaning that locals tried to deter nonlocal surfers from accessing the beach  
3 through various means, including threats, intimidation, and violence. If I  
4 hadn't heard that localism was such a problem at Lunada Bay, I would have  
5 surfed there frequently, and gone to train every day by myself. But because  
6 I was new to surfing and I had never experienced localism, I wasn't sure  
7 what to expect.

8         7. Finally, in or around January 6, 2016, I decided to visit the bluffs  
9 at Lunada Bay. This was my first trip to Lunada Bay. I went there that day  
10 to watch my friends, big wave surfer Jordan Wright and Hawaiian surfer  
11 Preston Gazowsky, surf. It was a stormy day and the conditions were  
12 challenging. The waves were too big for me to go surfing, and I took photos  
13 instead. No one was out surfing that day except Jordan and his friends.

14         8. I returned to Lunada Bay on January 29, 2016 with Jordan  
15 Wright. I had intended to surf at Lunada Bay that day because the  
16 conditions were good and I felt comfortable surfing. Immediately after we  
17 parked our car along the bluffs, the harassment began. Several men drove  
18 by and circled around our car. One of the men yelled at us and called us  
19 "kooks" and told us that we couldn't surf there. We didn't say anything in  
20 response but just got out of the car and prepared to go surfing.

21         9. There was also a group of men, who I now believe to be Bay  
22 Boys, standing along the bluffs. These men told us that we couldn't surf  
23 there and constantly harassed us. One man who I believe to be Brant  
24 Blakeman was recording us on land with his camera. It was disturbing to me  
25 and made me feel very uncomfortable. The situation felt very tense.

26         10. At some point while we were still on the bluffs and before we  
27 made our way down the trail to the beach, I recall meeting Cory Spencer. I  
28 remember hearing – either directly from Cory or indirectly from another

1 surfer present along the bluffs that morning – that Cory is a police officer and  
2 that he had been run over in the water earlier that morning by another surfer  
3 who cut Cory's hand. Hearing that a police officer from outside of the area  
4 was not safe in the water surprised me. The conditions that day were good  
5 and I did not understand why the Bay Boys were so aggressive to outsiders.  
6 Why couldn't everyone just get along and enjoy the waves? I decided to  
7 continue down to the beach despite the harassment and intimidation. I had  
8 come a long way, the surf was good and the conditions were favorable, and  
9 it was a great day for me to go out and train and practice big wave surfing. I  
10 had spent the past year training to surf big waves and I had my heart set on  
11 surfing Lunada Bay that morning.

12 11. Jordan Wright and I walked down the steep trail carrying our  
13 surfboards and when we reached the beach, we were approached by a  
14 man, whom was later identified as David Mello, who began screaming at us.  
15 I heard him yell what sounded like "whore." I was petrified. He walked away  
16 and I just stood there frozen. He came back a few minutes later to continue  
17 his out-of-control rant. He started yelling at us again, screaming profanities.  
18 I was wearing a purple Roxy wetsuit, with a Patagonia big wave impact suit  
19 underneath. He made fun of my wetsuit because it was purple, and impact  
20 suit. Other Bay Boys watched along the coast, and one younger man told  
21 me to "watch out" and "be careful" and "don't smash your pretty little face on  
22 the rocks." There are few women in the surf community, and even fewer  
23 women in the big wave surf community. There were no other women surfing  
24 at Lunada Bay that day. I felt that I was being singled out and harassed and  
25 intimidated due to the fact that I was a woman. I had never been yelled at in  
26 a manner like that before and it terrified me.

27 12. I could see Palos Verdes Estates Police officers present in the  
28 nearby Rock Fort at the north end of the beach. They did not do anything to

1 help me while I was being verbally assaulted, though they witnessed and  
2 overheard the incident.

3 13. After the man walked away, the police ended up coming over to  
4 us. They asked us what was going on. I described what had happened and  
5 they asked if we wanted to file a report. I stated that I did want to file a  
6 report, and the police asked us to accompany them back up the trail to the  
7 bluff top.

8 14. At the top of the bluff, a different, older policeman spoke to me.  
9 The policeman told me I could make a citizen's arrest but that if I did, I would  
10 be at risk of getting sued because people at Lunada Bay are wealthy and  
11 can afford to hire good lawyers. This policeman discouraged me from  
12 making a citizen's arrest, told me it wasn't a good idea, and said I risked  
13 subjecting myself to liability. He said that he could just write a report  
14 (without me pursuing a citizen's arrest) and that it would have the same  
15 effect without the personal liability to me. The police detained David Mello  
16 for a short period, but did not end up arresting him. The policeman at the  
17 top of the bluff who took the report told me that he did not hear what David  
18 Mello had said. Because the police officer on top of the bluff who took the  
19 report had not heard what Mello was saying, he said that he could not arrest  
20 Mello. But the two police officers who were on the shoreline had heard what  
21 Mello was saying, and also could observe that Mello was behaving  
22 erratically and harassing us. In fact, these officers interceded after Mello  
23 screamed at Jordan and I, and talked us into walking up the trail to make a  
24 report. Nonetheless, the older police officer refused to arrest Mello. These  
25 same officers who had observed Mello were also in the position to notice  
26 that the locals in the Rock Fort had beer and were illegally drinking and  
27 breaking other laws on the shoreline.

28 15. I was frustrated that as a visitor, I was talked out of surfing and

1 that the police did nothing. Also, I was scared so I changed out of my  
2 wetsuit, back into my clothes, and left Lunada Bay without surfing. Although  
3 I had been excited to surf there that morning, I was completely shaken up by  
4 this incident – both by the activity of the locals and police complicity – and  
5 felt unsafe to go into the water. I decided to go home.

6 16. Several days later, on or about February 1, 2016, I broke my arm  
7 while snowboarding. Then, on February 5, 2016, Jordan Wright wanted to  
8 attempt to surf at Lunada Bay and I decided to accompany him and  
9 photograph him surfing. I was unable to surf because my arm was in a cast  
10 and I was still in a great deal of pain from the injury. While I stood on the  
11 beach taking photos of Jordan surfing, I encountered a photographer from  
12 the L.A. Times. We were both taking photos of the ocean and the beach  
13 and we talked about photography and the conditions that day. I may have  
14 also mentioned that Jordan and I weren't locals and that I had experienced  
15 harassment there the week prior and filed a police report. I didn't realize it at  
16 the time, but the photographer took pictures of me while I was facing the  
17 ocean taking photos of Jordan. He also spoke with Jordan after he finished  
18 surfing, though I did not hear their conversation.

19 17. On or around February 12, 2016, the L.A. Times published an  
20 article entitled "'Bay Boys' surfer gang cannot block access to upscale  
21 beach, Coastal Commission says." The article included photographs of me  
22 at the beach and in the Rock Fort. One of the photo captions identified me  
23 by name and stated that I " . . . filed a police report for harassment by the  
24 Bay Boys." The article was published online on February 12, 2016 and in  
25 hard copy the following day, February 13, 2016. A true and correct copy of  
26 the February 12, 2016 online L.A. Times article and the referenced photo is  
27 attached as **Exhibit 1**.

28 18. I returned to Lunada Bay on February 13, 2016 with Jordan to



1 watch him surf and take photographs. Prior to our arrival, I contacted the  
2 Palos Verdes Estates Police and requested an escort from the bluffs to the  
3 beach. I was concerned about my safety given the January 29, 2016  
4 incident. I was told that the police were unavailable and no officers were  
5 present when we arrived.

6 19. As we prepared to descend the trail from the bluffs, I remember  
7 encountering a middle-aged man with blond hair and a teenage boy who  
8 were filming us and attempting to block the pathway. I now understand that  
9 the man was Brant Blakeman. Mr. Blakeman and the teenager told us that  
10 we were "done" and were very hostile and threatening.

11 20. We walked past them and continued down the trail. When we  
12 reached the beach, we encountered additional angry locals who were yelling  
13 at us. Everyone was incredibly hostile. Jordan and I ignored the  
14 harassment and he got into the water to surf and I made my way to the Rock  
15 Fort where I planned to watch Jordan and photograph him. At some point  
16 while I was in the fort, a middle-aged, dark-haired man entered and engaged  
17 me in conversation. He started asking me a lot of questions made me feel  
18 uncomfortable, as if he was interrogating me. He wanted to know what my  
19 "mission objective" was and why I was at the beach and what I wanted. He  
20 told me that no other outsiders ever come to Lunada Bay. I was only there  
21 to enjoy the beach and take photos so I didn't understand why he was so  
22 interested in asking me questions. As I was standing in the Rock Fort taking  
23 photos, another woman arrived and entered the fort and began taking  
24 photos. I did not know her. The man also engaged her in conversation.  
25 She was visibly shaken and told us that she had been harassed on her way  
26 down here. She told me that she had been sitting on the beach and was  
27 asked to leave by the bay boys that were changing into their wetsuits. They  
28 told her that her sitting there was like sitting in a men's locker room. They

1 yelled at her and she replied that it was a public beach and she had a right  
2 to sit wherever she wanted. They appeared surprised that she had the  
3 bravery to stand up to their threats. She sat at the beach with her camera  
4 before making her way into the fort. The dark haired man questioned her for  
5 about 10-30 minutes before he finally left. I had a brief conversation with the  
6 woman. Her name was Jen and she was at Lunada Bay taking photos of  
7 our mutual friend David Sluys. She was a surf photographer.

8       21. Later that morning, Charlie Ferrara entered the fort and went to  
9 go sit up on the roof. The woman and I continued taking photos. Suddenly,  
10 two men rushed into the fort and ran towards us in a hostile and aggressive  
11 manner. One was carrying a case of beer and appeared drunk, though it  
12 was approximately 9:00 a.m. I later learned the man with the beer was Alan  
13 Johnston. He was very loud, aggressive, and intimidating, saying things like  
14 "fuck yeah!" and screaming "Wooooooh!" and standing very close to me. I  
15 was terrified. I recognized one of the men, Brant Blakeman, as the same  
16 man who was filming me when I arrived at the bluffs that morning. He was  
17 filming me again and, at times, held his camera right in my face. It felt very  
18 intimidating and harassing and made me fear for my safety.

19       22. I asked why they were filming me because it made me feel  
20 uncomfortable. Mr. Blakeman responded, "because I feel like it." Mr.  
21 Johnston responded, "because you're hot. Because you're fucking sexy  
22 baby, woooh!"

23       23. Mr. Johnston opened a can of beer in purposeful way so that it  
24 sprayed my arm and my camera. He was chugging beer and throwing the  
25 cans on the ground. Mr. Johnston then said "didn't I see you guys on the  
26 cover of the fucking biggest periodical this morning?" In retrospect, I believe  
27 he was referencing the L.A. Times article, but at the time I had not seen the  
28 article and didn't even know that it would be published or that I would be

1 featured prominently in the photos. It appeared to me that Blakeman and  
2 Johnston were pretending to celebrate the L.A. Times article in a sarcastic  
3 manner and seemed upset about it. True and correct copies of video  
4 footage taken that day by Brant Blakeman is attached as **Exhibits 2 and 3**  
5 and are Bates labeled DFT.BB.000081.MTS and DFT.BB.000082.MTS.

6 24. Even worse, Defendant Johnston began acting in a sexually  
7 aggressive and suggestive manner. Johnston told me that he was "big  
8 enough to get the job done" and was making grunting noises and moaning  
9 as if to mimic an orgasm. He was simultaneously rubbing his torso with his  
10 hands in a sexually suggestive manner and thrusting his torso. He began  
11 changing into his wetsuit in front of me and although he had a towel  
12 wrapped around his waist, I believe that he intentionally removed his towel in  
13 order to expose his penis to me.

14 25. I was not able to exit the Rock Fort during this incident because  
15 Blakeman and Johnston were closest to the exit to the fort and I would have  
16 had to walk past them. I was fearful of what more they might do to me if I  
17 tried to leave. I was also frozen with fear.

18 26. Defendant Charlie Ferrara was also present during this incident.  
19 He was sitting on the roof of the Rock Fort and observed the entire incident  
20 and appeared to be complicit in Blakeman and Johnston's behavior. I tried  
21 to call the police on my cell phone during the incident but couldn't get any  
22 reception. The police were parked on the bluffs above the beach but they  
23 were unaware of what was going on right below them.

24 27. The entire incident with Blakeman, Johnston and Charlie Ferrara  
25 lasted between 10 and 20 minutes. After Blakeman and Johnston left the  
26 Rock Fort I finally felt that it would be safe for me to leave. I made it back up  
27 the trail to the bluff top to find the police and report the incident. When I  
28 approached the police officers, I was in tears – visibly shaken and upset. I

1 told them what had just happened. They listened to my account and asked  
2 for descriptions. The police were able to identify the man who was filming  
3 me as Brant Blakeman simply by my description. They told me he was a  
4 local resident and owns a home in Palos Verdes Estates.

5 28. A younger police officer then escorted me back down to the  
6 beach to try and identify the other individuals involved. Both Blakeman and  
7 Johnston were gone by that time but Charlie Ferrara was still there. The  
8 police clearly knew him because as they approached, they greeting him by  
9 saying, "Hi Charlie." Also, they told me that they knew him. Charlie Ferrara  
10 refused to cooperate and told the police that he didn't see anything, although  
11 he did apologize to me. As the police stepped away, Charlie told me that he  
12 was "sorry" for what happened to me. The police overheard Charlie and  
13 thought that it was strange that he was apologizing to me, and  
14 acknowledging what had occurred, yet refusing to tell them anything about  
15 the incident.

16 29. A younger police officer took a written report of the incident. The  
17 officer also told me that they have "book containing driver's license  
18 photographs of all Lunada Bay Boys" gang members and that I could look  
19 through this book to identify the other men who were involved. He said it  
20 wouldn't be a problem to identify the individuals because they know all the  
21 people who frequent the area. He made me believe that it would be easy to  
22 identify the others.

23 30. I left Lunada Bay that day feeling distraught, terrified, and  
24 shaken. But I also hoped that the police would help identify the man who  
25 had poured beer on me, exposed himself to me, and acted in a sexually  
26 aggressive manner toward me. Unfortunately, my hope was misplaced. I  
27 was never contacted by the police to identify the other perpetrators. Instead,  
28 after no follow up, I had to call the Palos Verdes Estates Police Department

1 several times in an effort to set up a time to identify these individuals. It  
2 seemed to me that they were completely disinterested in investigating this  
3 incident. In fact, during a phone call I had with Palos Verdes Estates police  
4 detective Venegas, he said words to the effect of "Why would a woman want  
5 to go to that beach and the Rock Fort anyways? There are only rocks down  
6 there."

7 31. I finally felt that I had to consult with an attorney because the  
8 police were not helping me. It was not until I retained counsel, Mr. Otten,  
9 who wrote a letter to Chief Kepley, before I was finally permitted to meet with  
10 an officer regarding the February 13, 2016 incident. This meeting occurred  
11 on March 21, 2016. Mr. Otten and I met with Police Chief Kepley and  
12 Captain Tony Best. Chief Kepley and Captain Best said that although they  
13 had photographs of the Lunada Bay Boys members, they would not allow  
14 me to review the photos – they claimed doing so might impede the  
15 investigation or somehow violate the law. They seemed unfamiliar with the  
16 incident and said they would speak to the detective in charge of the  
17 investigation. Chief Kepley and Captain Best also encouraged me to take a  
18 cell phone with me to the beach and to travel in large groups. Further,  
19 Captain Best said that there are judges and lawyers who surf there, implying  
20 that it was a difficult situation to remedy. I asked Chief Kepley if it was safe  
21 for me to go down there and he replied along the lines that he wished it was  
22 safe but it's not. He said that he wouldn't even tell a man to go down there,  
23 and that he viewed it as a long term problem.

24 32. I learned after the incident from Jen, the woman who had been  
25 standing in the Rock Fort at the same time as me, that there was a group  
26 email circulated among the Bay Boys immediately after the incident. I texted  
27 with Jen and she referenced the Bay Boys' group email in our text  
28 exchange. Our text exchange is included in attachments to the police report

1 from the incident. A true and correct copy of the police report detailing the  
2 February 13, 2016 incident, including my text exchange which references  
3 the Bay Boys' group email, is attached as **Exhibit 4** and is BATES stamped  
4 CITY2061-CITY2087.

5 33. On April 7, 2016, approximately a week after the complaint in  
6 this lawsuit was filed, I went to the Palos Verdes Estates police station and  
7 reviewed a photo line-up. I positively identified Defendant Johnston as the  
8 man with the beer who had exposed himself to me on February 13, 2016.

9 34. I spoke to a psychiatrist at UCLA and discussed my loss of  
10 sleep.

11 35. Since the February 13, 2016 incident, I have returned to Lunada  
12 Bay on several occasions. I believe it is important to stand up to bullies and  
13 do what is right. If no one ever goes to Lunada Bay, nothing will ever  
14 change. I cannot allow the Bay Boys to continue their threats of intimidation,  
15 sexual assault, harassment, and battery towards people whom they believe  
16 are "outsiders." Lunada Bay is a public beach and I refuse to allow a small  
17 group of bullies to prevent the public from enjoying a beautiful natural  
18 resource that should be available to all who want to enjoy it. I want to make  
19 a difference and help change things and make Lunada Bay available for all  
20 people to enjoy. During those visits, I was constantly photographed and  
21 filmed on the bluff. I was told by Bay Boys who were present at the time that  
22 I shouldn't be there, that I should leave, that no one wanted me there, asking  
23 me what I was doing there, calling me a "bitch," and insulting me. I  
24 responded that it is a beautiful public beach and I'm allowed to be there.

25 36. On one occasion, I recall speaking with Charlie Ferrara after he  
26 approached me. I know it was Charlie Ferrara because I remembered him  
27 from the incident on February 13, 2016, and the police identified him as  
28 "Charlie" that day. I have also subsequently looked at photographs of

1 Charlie and confirmed that it is the same person I spoke with. I think he  
2 might have felt badly about witnessing the February 13, 2016 incident but  
3 not doing anything to stop Blakeman and Johnston.

4 37. Charlie Ferrara and I had a long conversation about why the Bay  
5 Boys act the way they do. He explained that it's a "fraternity," that they're  
6 "family members," and that the Bay Boys will haze you before you're allowed  
7 to join them and surf there. He said that "they want to see how bad you  
8 want it" and that they will "make you drink fuckin' piss to see how bad you  
9 want to be in this fraternity." He also told me that you have to show respect  
10 and that "it's all out of love." Charlie said that "I can't tell you you can't go  
11 surfing, but what I can do is make sure that you don't have fun out there."  
12 He explained that it has worked this way for at least 30 years. He also said  
13 that his dad is a surfer who works on cars and has surfed at Lunada Bay  
14 since he was a kid. I understand, based on information and belief, that  
15 Charlie Ferrara's father is Frank Ferrara and he is a named defendant in this  
16 case.

17 38. I recorded our conversation on my cell phone, which was sitting  
18 face-up and in plain view on a table in the Rock Fort. I believe Charlie knew  
19 I was recording him and that he was simultaneously recording me. I saw  
20 him holding an audio recording device. At one point during our  
21 conversation, he pointed to my Canon camera and asked if I was recording  
22 him using that camera. I was not, and I told him as much. A true and  
23 correct recording of our conversation is attached as **Exhibit 5**. Also  
24 attached as **Exhibit 6** is a transcript of our conversation.

25 39. I believe that the City of Palos Verdes Estates and Chief Kepley  
26 have failed to create safe and public access to Lunada Bay. My  
27 experiences at Lunada Bay have shown me that the City and the Chief have  
28 allowed the Bay Boys, including Brant Blakeman, Alan Johnston, Charlie



1 Ferrara, and others to intimidate, sexually assault, threaten, harass, and  
2 batter people whom they believe are "outsiders." Drinking is part of the  
3 problem and the police simply do not enforce the no-drinking laws. The  
4 police also demonstrate no interest in actually enforcing the law to maintain  
5 a safe and secure public beach – and discourage complaints. Instead, if a  
6 visitor insists on complaining, they may write a police report to make it  
7 appear as if they are taking the complaint seriously, but then fail to follow-up  
8 or investigate the incident. These actions by the police allow the Bay Boys  
9 to illegally keep visitors away from Lunada Bay with acts of intimidation, and  
10 violence.

11 40. People of all races, ethnicities, levels of income, backgrounds,  
12 locations, and genders should be able to go to Lunada Bay without fear of  
13 being harassed, frightened, intimidated, threatened, assaulted or battered.  
14 No one should be made to feel unwelcome at a public beach.

15 41. The City should take steps to make it clear to everyone that  
16 Lunada Bay is a public beach accessible by all who seek to enjoy it. I  
17 believe that the City should also create a safe pathway down to the beach, a  
18 path down the cliff where you can go without fear of falling down. The City  
19 should install signs that clearly indicate that it is a public beach and where  
20 access trails are located. Adding seating, trash cans, and other similar  
21 improvements to the shoreline and bluff will also make it clear that it is a  
22 public beach open to visitors. The police should also take all complaints  
23 pertaining to beach access and violence seriously, including conducting  
24 follow-up investigations and holding the perpetrators accountable.

25 42. I hope that one day Lunada Bay is a place where everyone can  
26 enjoy it for its beauty, amazing surf, and all that it has to offer.

27 43. I understand my duties as a class representative, including my  
28 obligation to supervise my attorneys, monitor the case, communicate with



1 my attorneys on an ongoing basis, and stay actively involved in the  
2 prosecution of this matter. I remain in constant contact with my attorneys  
3 through phone calls, text messages, emails, and in-person meetings. The  
4 purpose of these communications is to strategize regarding the case,  
5 provide information relating to my claims, respond to discovery, and assist  
6 any way I can in the litigation of this case. I am actively engaged in this  
7 litigation and have been at all times, and I act diligently to vigorously protect  
8 the interests of all putative class members.

9 44. In addition, I provided thorough and robust comments to the draft  
10 complaint before it was filed, which my attorneys incorporated into the final  
11 complaint. I have been extensively involved in preparing, reviewing, revising  
12 and finalizing pleadings and discovery in this case, have reviewed  
13 deposition transcript(s), and have provided my comments on those  
14 documents that I consider relevant.

15 45. To date, I have responded to multiple discovery requests,  
16 including responding to 5 sets of interrogatories, 4 sets of requests for  
17 production of documents, and 1 set of requests for admission.

18 46. I also appeared for two days of deposition, on October 24-25,  
19 2016 in Santa Monica, California, while in my third trimester of pregnancy.

20  
21 I declare under penalty of perjury under the laws of the United States  
22 of America that the foregoing is true and correct.

23  
24 Executed in Malibu, California on December 28, 2016.

25  
26 

27  
28 

---

DIANA MILENA REED

# Exhibit 1

# 'Bay Boys' surfer gang cannot block access to upscale beach, Coastal Commission says



Visitors have said that a group of locals called the Bay Boys hold forth in this "fort" and discourage outsiders from surfing in Lunada Bay. (Allen J. Schaben / Los Angeles Times)



By **Garrett Therolf**

FEBRUARY 12, 2016, 9:37 AM

**F**or generations, a small group of locals in wealthy Palos Verdes Estates has maintained a reputation for keeping other surfers off Lunada Bay's well-shaped waves.

The so-called Bay Boys bombard outsiders with dirt clods, slash their car tires and assault them in the water — sometimes coordinating the attacks with walkie talkies — witnesses have said.

ADVERTISING



Surfers who say they have been victimized over the years have accused local authorities of complacency, cowardice and even complicity.

Now an unlikely new sheriff of sorts has ridden into town: the California Coastal Commission.

In a letter to Palos Verdes Estates officials, Jordan Sanchez, one of the agency's enforcement officers, wrote that the Bay Boys are so entrenched in this beautiful notch of California coastline that they are subject to the commission's watchdog regulations and permitting processes.

The letter says: "Precluding full public use of the coastline at Palos Verdes Estates, including the waters of Lunada Bay, whether through physical devices ... or impediments, such as threatening behavior intended to discourage public use of the coastline, represents a change of access to water, and, thus, constitutes development."

Sanchez's letter was followed by planning for a meeting with city leaders to discuss stepped-up plans for criminal and code enforcement needed to rid the coast of the Bay Boys' obstruction of access.

"I don't think we've ever seen this level of cooperation on this issue," said Andrew Willis, the commission's top enforcement agent in Southern California.

Willis said the commission has funds available to improve signage for public access and to make improvements to the treacherous pathways from the bluff down to shore where surfers say they are frequently pummeled with dirt clods — but he said that the city will need to take the lead.

"We are not in the position to do a sting operation like the police or tear down structures like a building and safety department," he said, a reference to a stone fort at the water's edge allegedly constructed by the group as a party spot and outpost for coordinating harassment of outsiders.

The fort features stone and cement masonry, and on one recent day it was outfitted with cooking utensils, lighter fluid, trash cans, cushions and an ice chest, as well as a paved step way, seating areas and a fire pit. At the table, someone had etched "Respect this place."

Palos Verdes Estates City Manager Tony Dahlerbruch said he agreed with the commission that the fort — whose construction is said to have begun three decades ago — will now need to undergo the permitting process or come down.

"In the meantime, that structure must be available to be used by all," Dahlerbruch said.

"Lunada has some of the most powerful and perfect big wave spots in California," said Jordan Wright, 31. "It's the wave that is most like Hawaii in Southern California in terms of its strength, power and longevity."

Wright, who has surfed in 13 countries and on waves with 40-foot faces, has had to retreat each time he tried to surf Lunada Bay, even when he went with his father, a detective for the Los Angeles County Sheriff's Department.

"It's run like an organized crime or racketeering outfit," Wright said of the Bay Boys' grip on the slice of public coast.

Cory Spencer, a 44-year El Segundo police officer and surfer, said he has watched the dynamic play out since he was 14.

"I've driven by and looked at the spot probably 10 to 15 times just to see it, but never really took my board out of the car and just traveled on because of the fear, intimidation and vandalism," Spencer said.

In recent months, however, small groups of outsiders have decided to challenge the Bay Boys' grip, and Spencer said he was inspired by Wright to finally give it a try. "I worked South Central for the LAPD, but it took time to gain the courage to go down there," he said.

On his first outing in late January, Spencer said, "immediately, from the time we were on the rocks, we started getting the verbal heckling."

Wright said some of the Bay Boys yelled, "You can't surf here" and "Kooks."

After they paddled out, Spencer said, he caught a wave and locked eyes with one of the Bay Boys who had heckled him on the shore.

"He was 75 yards away on the wave behind me. We had plenty of space, but he tried to spear me with his board ... and he left a nice little slice in my hand," Spencer said. "That was a nice introduction to my second wave at Lunada."

Efforts to end the behavior have been largely ineffective. A former police chief installed a surveillance camera in 2002 to help keep an eye on the less-than-pacific bay. The City Council had it removed three months later.

This summer, a [video shot surreptitiously by the Guardian](#) showed local surfers intimidating journalists as they prepare to paddle out.

Jeff Kepley became Palos Verdes Estates' chief of police a year ago, shortly before the Guardian newspaper caught on tape one of his employees as she dismissed visitors who came to complain after capturing footage of being harassed at Lunada Bay.

-----  
**FOR THE RECORD**

**Feb. 11., 10:25 a.m.:** An earlier version of this article misidentified Jeff Kepley as Rancho Palos Verdes' chief of police. He is the police chief of Palos Verdes Estates.

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Kepley said he has sent patrols to the bluffs about 400 times and is determined to make an arrest during the current winter season when the waves and tensions are highest.

"It would not be hard," said Spencer, the El Segundo officer, "if they really wanted to take care of this problem. But they need to get out in the water instead of just looking down from the bluff."

For now, the Coastal Commission enforcement officers said, they are not preparing to fine anyone or take other punitive steps.

"If we work cooperatively," Willis said, "we don't need to think of enforcement mechanisms."

[garrett.therolf@latimes.com](mailto:garrett.therolf@latimes.com)

**Follow @gtherolf on Twitter.**

**ALSO**

**Fired California Coastal Commission director speaks out**

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**Why ex-L.A. Sheriff Lee Baca gets to keep his pension even if he goes to jail for lying**

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**UPDATED**

9:37 a.m.: Updated with information about the Guardian video.

**This article is related to:** [Law Enforcement](#)





## Lunada Bay

(Allen J. Schaben / Los Angeles Times)

With police watching for trouble from the bluff top, outsider Diana Milena, 28, of Malibu, who filed a police report for harassment by the Bay Boys, stands in the locals' hangout fort.



[SEE MORE GALLERIES >](#)



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# Exhibit 2



**Exhibit 2:** Video footage taken on February 13, 2016 by Brant Blakeman, Bates labeled DFT.BB.000081.MTS, Lodged with Court pursuant to Local Rule 11-5.1. See Notice of Lodging filed herewith.

# Exhibit 3

**Exhibit 3:** Video footage taken on February 13, 2016 by Brant Blakeman, Bates labeled DFT.BB.000082.MTS, Lodged with Court pursuant to Local Rule 11-5.1. See Notice of Lodging filed herewith.

# Exhibit 4



# PALOS VERDES ESTATES POLICE DEPARTMENT

Officer Report for Incident 16-02164

Nature: SURFING RELATED  
Location:

Address: LUNADA BAY

**Offense Codes:**

Received By: C. Placek

How Received: O

Agency: PVEP

**Responding Officers:**

Responsible Officers: S. Crisfield

Disposition: ECA 07/07/16

When Reported: 10:17:15 02/13/16

Occurred Between: 09:40:00 02/13/16 and 10:00:00 02/13/16

Assigned To:

Detail:

Date Assigned: \*\*/\*\*/\*\*

Status:

Status Date: \*\*/\*\*/\*\*

Due Date: \*\*/\*\*/\*\*

**Complainant:**

Last:

First:

Mid:

DOB: \*\*/\*\*/\*\*

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Alert Codes:

**Offense Codes**

Reported:

Observed:

Additional Offense: ASS8 242 Assault, Misdemeanor

Additional Offense: SEX5 314 Indecent Exposure

**Circumstances**

DAY Day (6 a.m. - 6 p.m.)

**Responding Officers:**

Unit :

S. Crisfield

7L11

A. Belda

7L9

Responsible Officer: S. Crisfield

Agency: PVEP

Received By: C. Placek

Last Radio Log: 12:17:22 02/13/16 CMPLT

How Received: O Officer Report

Clearance: ICO Investigation Completed

When Reported: 10:17:15 02/13/16

Disposition: ECA Date: 07/07/16

Judicial Status: DONE

Occurred between: 09:40:00 02/13/16

Misc Entry: Gaunt

and: 10:00:00 02/13/16

11/10/16

CITY2061

Officer Report for Incident 16-02164

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Modus Operandi:

Description :

Method :

**Involvements**

Date	Type	Description	
04/20/16	Name	[REDACTED]	Suspect
03/09/16	Name	[REDACTED]	Mentioned
02/14/16	Name	[REDACTED]	Victim
02/14/16	Name	[REDACTED]	Witness
02/13/16	Cad Call	10:17:15 02/13/16 SURFING RELATED	Initiating Call

11/10/16

CITY2062

## Narrative

### Palos Verdes Estates Police Department Investigation Narrative

SOURCE: On Saturday, 02-13-2016, I (Officer Crisfield #745) was working uniformed patrol in marked police vehicle #726. At approximately 1015 hours, I was flagged down in the 2300 block of Paseo Del Mar (Lunada Bay) by R-P [REDACTED] in reference to a surfing related incident.

M.O.: Unknown suspect pours beer on victim and her camera. Suspect then changes into a wetsuit at which time he purposely exposed his penis to the victim.

VICTIM'S STATEMENT: I met and spoke with the victim, [REDACTED] (DOB: [REDACTED]), and the following is a summary of her statement: On today's date, at approximately 0945 hours, [REDACTED] and [REDACTED] were taking pictures of the surf, from the Lunada Bay patio. While on the patio she was confronted by an unknown suspect who shook up a can of beer and opened it in her face, spraying her with its content. The suspect then took the opened beer and poured it on [REDACTED] left arm and camera, however, the camera was not damaged. The suspect then stated, "I saw you on the front page of the LA Times, now you're done." [REDACTED] asked the suspect multiple times to stop harassing her at which time he began to undress and change into his wetsuit. While changing into his wetsuit, the suspect stated, "It's easier to get into my wetsuit because you make me hard." The suspect then asked [REDACTED] "you want to see it", and as she was turning around to see what he was talking about, she saw the suspect's exposed penis. [REDACTED] described the suspect's penis as a white, approximately 3" in length and flaccid at the time of the incident. During this incident, there was a second subject who was associated with the suspect, who was filming the entire incident. [REDACTED] then became frightened and extremely uncomfortable at which time she walked up the trail back to the top of cliff of Lunada Bay (2300 PDM). [REDACTED] stated she would be able to positively identify the suspect if seen again and if identified, she is desirous of prosecution of the suspect for violation of 314.1 PC - Indecent Exposure and 242 PC - Battery.

[REDACTED] described the suspect as:

Adult male, white, mid 20's, 5'9"-5'11", stocky build, medium length light blonde hair, light facial hair, possibly with tattoos on his chest or arms, wearing a black Rip Curl Flash Bomb wetsuit with a hood (NFD). The subject had a white short board style surfboard.

[REDACTED] described the subject holding the video camera as:

Adult male, white, mid 50's, 5'7"-5'9", medium build, short blonde hair and clean shaven.

WITNESS STATEMENT: I contacted [REDACTED] via telephone [REDACTED], who stated she was on the patio with Reed and witnessed the incident, but was unwilling to provide a statement.

OFFICER'S STATEMENT: After obtaining the victim's statement, Officer Belda (#731), [REDACTED] and I went descended down to the Lunada Bay Patio in an attempt to locate the suspect but she did not recognize anyone. The Lunada Bay Patio is a man-made stone patio / platform located at the shoreline of the north-westernmost corner of Lunada Bay's crescent-shaped cove. While on the patio, [REDACTED] observed a snapped white Ferrara surfboard that she believed was the

11/10/16

CITY2063

Officer Report for Incident 16-02164

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suspects surfboard. I asked the subjects on the patio if they knew who the surfboard belonged to and they were all unsure. I then provided [REDACTED] with a PVEPD card containing this report number.

EVIDENCE: None

ADDITIONAL INFORMATION: In the event the suspect is able to be identified, it is my recommendation this case be forwarded to the district Attorney's Office for filing.

---

Responsible LEO:

---

Approved by:

---

Date

11/10/16

CITY2064



Officer Report for Incident 16-02164

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**Supplement**

CAD Call info/comments

=====

11:28:45 02/13/2016 - C. Placek  
UNITS ARE DOWN IN LUNADA BAY CANYON  
11:44:43 02/13/2016 - C. Placek - From: A. Belda  
CODE 4  
12:16:55 02/13/2016 - C. Placek - From: S. Crisfield  
SEE REPORT

11/10/16

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Officer Report for Incident 16-02164

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## Supplement

Palos Verdes Estates Police Department

### Supplemental Narrative

On 02/16/16, I (Detective Venegas / #733) was assigned to investigate this case.

On 02/17/16, I spoke with V/ [REDACTED] and she told me that she had photos of the suspect and the additional male subject that he was with. She told me that the photo of the suspect is from his backside and she was unable to get a photo of his face. However, the photo shows the face of the adult male that was recording the suspect. V/ [REDACTED] told me that she would send the photos to me along with text messages that she had with [REDACTED] about the incident. Prior to ending the phone call, I informed [REDACTED] to call the PVEPD if she sees the suspect again.

On the same day, 02/17/16, V/ [REDACTED] sent me the photos (See attached photos). While reviewing the photos, the male subject that was recording the suspect was identified as [REDACTED] (DOB: [REDACTED]).

On 02/29/16, at approximately 1200 hours, Sgt. Barber (#714) spoke with [REDACTED] at his residence. Sgt. Barber inquired about the incident and [REDACTED] told him that he did not wish to speak about it.

On 03/28/16, I was informed that Sgt. Barber (#714) had heard a rumor that the person responsible for the above mentioned crimes was [REDACTED] (DOB: [REDACTED]). I looked at a photo of [REDACTED] and noticed that he seemed to match the description of the suspect that was provided by V/ [REDACTED] to Officer Crisfield. On 03/29/16, I created a 6-pack photo line-up containing a previous booking photo of [REDACTED]. I spoke with V/ [REDACTED] on 03/30/16 and informed her of the 6-pack photo line-up and she agreed to meet with me on 04/05/16. V/ [REDACTED] informed me that her attorney was able to find out who the suspect was in the case. I told V/ [REDACTED] that we would talk about that information after the 6-pack photo line-up was completed. On 04/05/16, V/ [REDACTED] contacted me and we agreed to move our meeting to 04/07/16.

On 04/07/16, V/ [REDACTED] met with Detective [REDACTED] (#736) and I at the PVEPD. Prior to showing her the photos, I read to her the Palos Verdes Estates PD Photo Line-up Admonition. I then showed her the photos and she identified picture #4 [REDACTED] as the suspect. After the 6-pack photo line-up was completed, V/ [REDACTED] informed Detective Reed and I that her attorney had previously showed a picture of [REDACTED] to her and she recognized him as the suspect.

On 04/13/16, I called the number listed in the report for [REDACTED] and left her a voicemail to call me back.

On 04/14/16, the above information was presented to The Honorable Judge, Allen B. Honeycutt of the Torrance Courthouse and a Ramey Warrant was issued for Johnston's Arrest.

On 04/17/16, I was informed that [REDACTED] was arrested by Officer Belda (#731) on the aforementioned warrant. Officer Belda informed me that he had read [REDACTED] his Miranda Rights. I then interviewed [REDACTED] and the following is a summary of his statement:

Prior to questioning [REDACTED], I asked him if he recalled his Miranda Rights and he told me that he did. I asked him if I needed to read them to him again and he told me that I did not have to. I asked him what happened on the patio and told

11/10/16

CITY2066

me that he saw V/ [REDACTED] and another female taking pictures. He wanted to congratulate V/ [REDACTED] on the LA Times article and proceeded to grab a beer. He did not know the beer had been shaken up. When he opened the beer it exploded on him and he approximated that two drops of beer landed on V/ [REDACTED]. He finished the beer and then threw it in the trash. I asked him if V/ [REDACTED] said anything to him about the beer hitting her and he told me she did not; however, he sarcastically apologized for it. V/ [REDACTED] then started asking him questions and said "how big is your stick?" [REDACTED] told me that he was uncertain if she was referencing his surfboard or what is "in his pants." He told me their conversation continued and he then changed into his wetsuit. He told me that he had a towel covering him when he changed and he never exposed himself. After changing into his wetsuit he paddled out into the water. He estimated their interaction to be approximately 10-15 minutes. He told me that he believed that V/ [REDACTED] made up the allegations against him.

I asked him if he told her "I saw you on the front of the LA Times, now you're done." and he responded with "no, absolutely not." I told him that she reported that he shook up a beer and sprayed it in her face and he said it wasn't true. I asked him if he poured beer on her left arm and camera and he said "no, absolutely not." He told me that there was only one beer explosion. I told him that it was reported that he exposed himself to her while changing and he told me that it was a lie and that he would never do that. He said he changed with a "giant blue towel" covering him. I asked him if he told her that "it's easier to change into my wetsuit because you make me hard" and asked "do you want to see it?" and he told me that he did not. He told me that while he was changing, she was facing him and was holding her camera at him. He asked her "you like watching men change?" and she turned around. He felt like she was trying to film him as he was changing. I asked him if he had any video or recordings of the incident and he said "I wish." I asked if [REDACTED] had any recordings and he told me that he was unsure but believed he was filming the surf that day and possibly filming V/ [REDACTED] as she was filming them. [REDACTED] told me that he feels like he [REDACTED] did not do anything wrong. I asked him if he knew who V/ [REDACTED] was prior to the incident and he told me that he knew of her from the LA Times article from the day before. He told me that he believed that she was being antagonistic by putting cameras in their faces the next morning after the LA Times article came out. I asked him what else was said about the LA Times article and he jokingly told her that she was famous and was trying to get her to party with them and offered her a beer. He told me that incident was "totally innocent and totally harmless."

I asked [REDACTED] again about what happened when he was changing and he said V/ [REDACTED] was approximately 15 feet away from him and could not tell if she was filming him with her camera. He told me that he had a towel around him when he was changing. I asked him when she asked him how big his stick was and he said she asked him that prior to him changing as he was waxing his surfboard, which was after he had opened the beer. I asked if she mentioned him exposing himself to her and he told me that she did not. He reiterated that he did not expose himself. He compared her being at the patio to being in a men's locker room because they all change down there. I asked if her statements were 100% false and told me they were. He told me that he has not had any contact with her since that day and is trying to stay as far away from her as possible. I asked if he had anything else to add and he told me that they are not a gang. He also told me that people have been down there antagonizing them with cameras.

On 04/18/16, I left an additional voicemail for [REDACTED] and she returned my call later the same day. The following is a summary of her statement:

11/10/16

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Officer Report for Incident 16-02164

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She informed me that her name is [REDACTED]. I asked her how she knew V/[REDACTED] and she told me she met V/[REDACTED] on the day of the incident on the patio. I asked her what happened that day and she told me that she is a surf photographer and she was down there taking pictures of the surf when she met V/[REDACTED]. She told me that she is not friends with V/[REDACTED] or the local surfers. While they were on the patio, surfers began being rude to them. She told me that she was with V/[REDACTED] the entire time they were on the patio with the surfers. I asked her about a surfer [REDACTED] spraying beer on V/[REDACTED] and she told me that one surfer [REDACTED] was partially drinking beers and then throwing them into a nearby trashcan. She told me that beer may have hit V/[REDACTED] but believes that it was probably done unintentionally. I asked her if a beer was purposely opened to spray in V/[REDACTED]'s face and she told me no. I asked if a beer was poured on V/[REDACTED] arm and camera and she told me that it did not happen. I told her that it was reported that the same surfer exposed himself to V/[REDACTED] and she told me that she was standing with [REDACTED] the entire time and it did not happen. She told me that the surfer did change into his wetsuit but he did not expose himself to either of them. She told me that after a while, she and V/[REDACTED] felt uncomfortable being around the surfers so they decided to walk back up to the top of the cliff. I asked her if V/[REDACTED] mentioned to her that the surfer exposed himself to her and she told me that she did not. She told me that the mentioned crimes did not occur because she would have seen them happen.

Prior to ending the conversation, [REDACTED] told me that she is a neutral party in this incident and does not favor either side; however, she believes that there is definitely an issue with local surfers harassing outsiders down on the beach and something needs to be done. She told me that everyone should be able to surf in the area without feeling intimidated.

On 04/19/16, I spoke with [REDACTED] again and asked about V/[REDACTED] texting her in regards to the surfer exposing himself to V/[REDACTED]. She acknowledged that she received the text but the incident did not happen. She also reiterated that there is an issue with local surfers harassing outside surfers and that something should be done.

11/10/16

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Officer Report for Incident 16-02164

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**Supplement**

11/10/16

**CITY2069**

Officer Report for Incident 16-02164

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### Name Involvements:

Witness : 99744

Last: [REDACTED]

First: [REDACTED]

Mid: [REDACTED]

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED] Sex: F

Phone: [REDACTED]

City: [REDACTED]

Mentioned : 7255

Last: [REDACTED]

First: [REDACTED]

Mid: [REDACTED]

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED] Sex: [REDACTED]

Phone: [REDACTED]

City: [REDACTED]

Victim : 96756

Last: [REDACTED]

First: [REDACTED]

Mid: [REDACTED]

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED] Sex: [REDACTED]

Phone: [REDACTED]

City: [REDACTED]

Suspect : 59217

Last: [REDACTED]

First: [REDACTED]

Mid: [REDACTED]

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED] Sex: [REDACTED]

Phone: [REDACTED]

City: [REDACTED]

11/10/16

CITY2070

Sprint Wi-Fi

12:33

44%

< Messages

Details

Message  
Saturday, 12/17/16

Hey do u have any photos of the  
guys down there harassing us?

My friend knows the names of those  
guys. I can probably get his name for  
you. He asked me if he was short and  
kind of fat and I would say yeah right  
about that guy do you think that's the  
same guy? There's already an email  
circulating about what happen today  
with your name in it. My friend just  
read me the group email and they're  
saying how they need to do  
something about these "bad" guys  
and get cops down closer to the  
water.

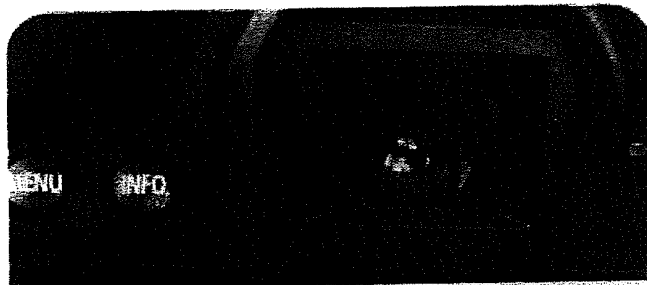


Sprint Wi-Fi 12:34 44%  
< Messages Details



GoPro guy

That's all I have for pics of these  
assholes





●●●● Sprint Wi-Fi

12:34

44%

< Messages

Details



Beer guy

Saturday 12:46

Ok awesome!!

It will help.

If I'm able to get there names I'll let you know. My friend knows the locals there that aren't dicks. He had an

Sprint Wi-Fi

12:34

43%

< Messages

Details

If I'm able to get there names I'll let you know. My friend knows the locals there that aren't dicks. He had an email about what happen before I even got home, word gets out fast.

Ok lol

I told the cops about the beer guy

The GoPro video I hope is deleted but if not its all recorded. They should ask that guy for the footage. Dumbass recorded themselves harassing. Brilliant.

You have it recorded ?

No the old guy was recording

They couldn't find the guy with the camera or the younger guy

I wonder how hard they tried. They were there so....probably their friends covering for them. Did the cops actually walk down to the beach?

Saturday 12/31



Sprint Wi-Fi

12:34

43%

Messages

Details

The GoPro video I hope is deleted but if not its all recorded. They should ask that guy for the footage. Dumbass recorded themselves harassing. Brilliant.

You have it recorded ?

No the old guy was recording

They couldn't find the guy with the camera or the younger guy

I wonder how hard they tried. They were there so....probably their friends covering for them. Did the cops actually walk down to the beach?

Saturday 10:50



Sprint Wi-Fi

12:35

43%

< Messages

Details

Omg. Wow.

That was on the front page of the LA times today! I went down with the cops. Everyone was gone by then

What????!! Oh shit.

The younger guy was there but he refused to cooperate as a witness. He denied anything.

How'd they get that on the front page so fast?

It was an article from last time we were there

The photo is from today? So now you've been on the LA times twice?

Anyway I gave the police your phone number so they might contact you. I told them that the guy spilled beer on me and my camera on purpose, and then eventually exposed himself as he was changing

The photo in the la times is from last week



Sprint Wi-Fi

12:35

43%

< Messages

Details

The photo is from today? So now  
you've been on the LA times twice?

Anyway I gave the police your phone  
number so they might contact you. I  
told them that the guy spilled beer on  
me and my camera on purpose, and  
then eventually exposed himself as  
he was changing

The photo in the la times is from last  
week

It's a coincidence that the article  
came out today and was featured on  
the front page.

Yeah that's crazy.

But the guys were talking about it,  
was it a diff article or this one?

You're famous 🤔

Yes it was the article from today that  
they were talking about

Ohhhh ok. Was confused for a sec.  
Got it.

Did that pudgy little fuck actually





Sprint Wi-Fi

12:35

43%

< Messages

Details

Ohhhh ok. Was confused for a sec.  
Got it.

Did that pudgy little fuck actually  
expose his wiener? I missed that.

Yes he did

Gross

Eewwww!!!!

He was a disgusting bag of shit. My  
friend said he sells crack to the  
neighborhood kids

Really. Do you know his name?

I'm pretty sure my friend knows his  
name. I think I can get it. My friend  
has been busy all day but we'll talk  
later today when he's done. He  
knows the "good locals" there and is  
the person who got the group email  
about us as soon as it happen.

Whoa what did the group email say?

So your friend is a bay boy?

He said it to me but I don't remember

Sprint Wi-Fi

12:35

43%

< Messages

Details

He read it to me but I don't remember exactly. I'll see if he'll forward it to me. It mentioned 2 girls being harassed and your name was in it and it was talking about how they need to stop these bully's. My friend told me his buddies already "took out" the worst one. I think they just mean they beat his ass.

My friend surfs there but not often but is good friends with guys that surf there all the time.

That's so crazy

Yeah get as much info as you can. See if he'll forward the email to you.

Ok

Saturday 11:11 AM

Hey any word from your friend?

Saturday 12:11 PM

Hey did you hear back from your friend?

Sunday 10:11 AM

Sprint Wi-Fi 12:35 43%  
< Messages [REDACTED] Details

Hey did you hear back from your friend?

Sunday 12:41

I haven't had the chance to ask him.  
He's had a lot going on.

Sunday 12:46

Ok no worries

Yesterday 11:22

Hey did you hear back from your friend? Any way you can ask him to forward you that email? Hopefully we can figure out the name of the beer guy.

Yesterday 14:11

Ah I keep forgetting when we talk it's been rushed lately we've both been super busy. I'll try to get the guys name but not sure he'll want to send me the email, who knows.

Ok. Yeah just ask him and see what he says.


Thanks for your help. :)





●●●○ Verizon

1:39 PM

93% 

< Messages

Group MMS

Details

To: (213) 447-7607, (213) 842-4935 & 7 more...


Forgot to tell you about that  
cops hangouts on their bong hit  
patio the place like some  
medium type not too low or not  
too high bring all the foam you  
have tell your boys if anyone  
messes with them say the  
weasel knows where you live  
and we know him I shanked  
one of the biggest boys 25  
years ago still living off the rip  
There's an Asian guy he'll talk  
shit his name is sang know  
some jujitsu but not really tough  
tell him to go get some heroin  
There's a fat thick short guy  
their toughest his name is grant  
[REDACTED] tell him to go sell  
some crystal meth two kids I  
heard [REDACTED]  
used to live with your boogie  
friend I used to chase that little  
bich around If you get the  
chance say you heard the whole  
[REDACTED] family is nothing but a



Send

●●●○○ Verizon

1:39 PM

93% 

< Messages

Group MMS

Details

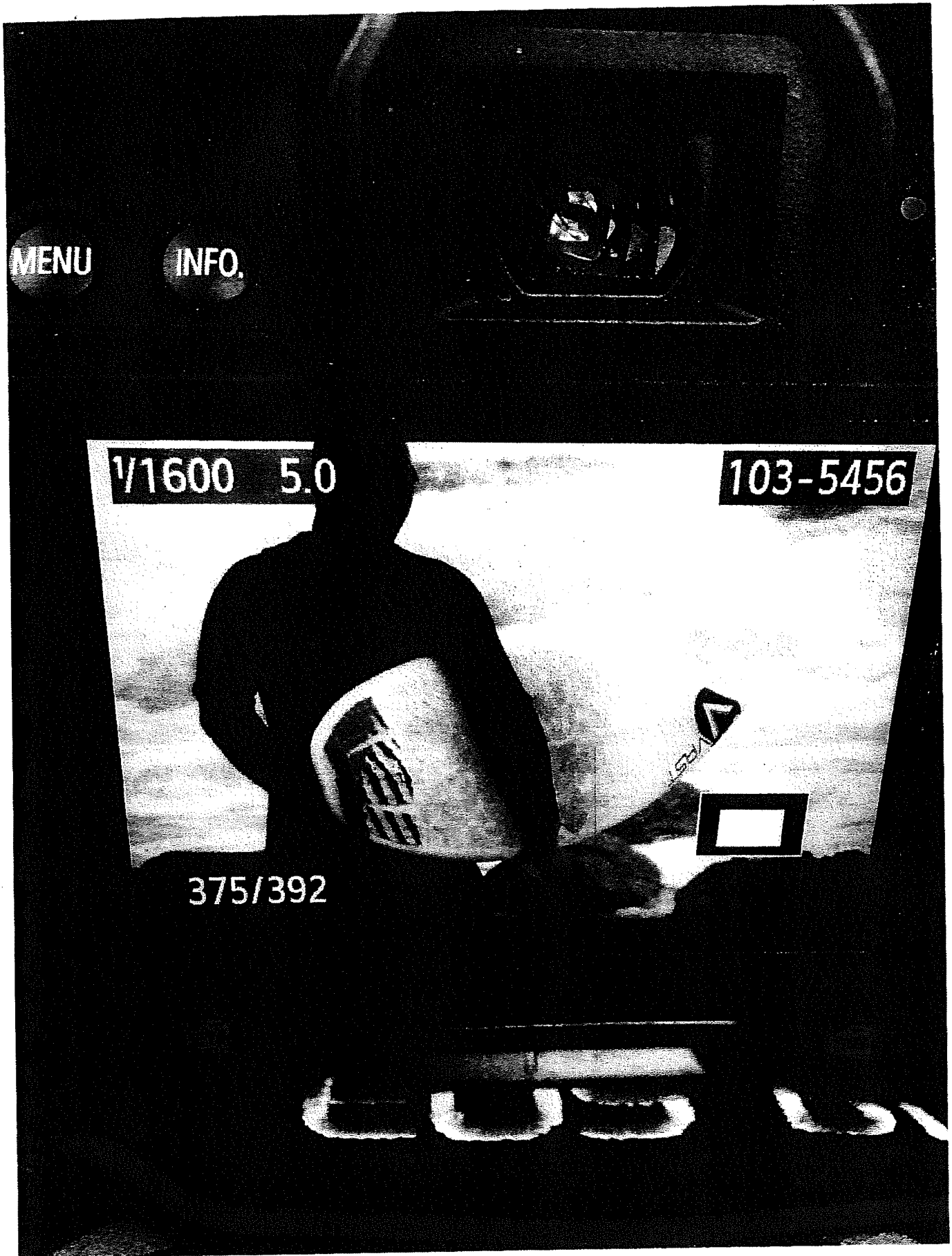
To: (213) 447-7607, (213) 842-4935 & 7 more...

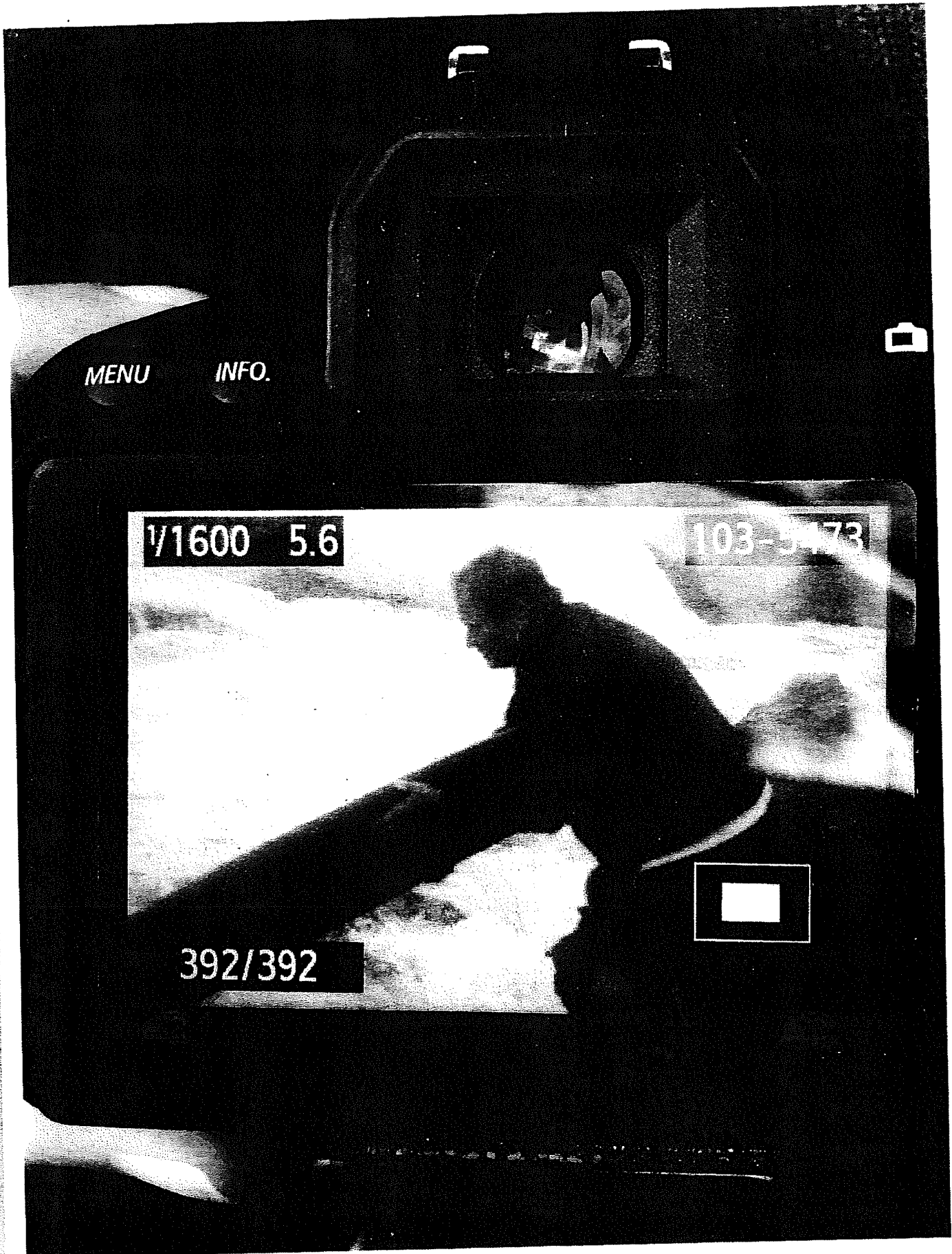
dicn around if you get the  
chance say you heard the whole  
[REDACTED] family is nothing but a  
bunch of drug addict losers  
He's the main shaper and good  
surfer kids are losers and his  
brothers kids are all losers One  
of the [REDACTED] kids [REDACTED]  
in friends beat up a Persian  
liquor store guy up the street  
miners put guy in hos!  
pital getting them for hate  
crime One time the [REDACTED] kid  
talk shit to me one day I said I  
used to smoke crack with your  
dad [REDACTED] and dead uncle [REDACTED]  
I have all the dirt from 1979 up I  
can make a movie find me  
somebody

Tell your bros to say even sells  
weed he lives on 10th Street in  
San Pedro he'll lose it Come up  
with all that shit those guys will  
freak out inside info



Send













SUPERIOR COURT OF CALIFORNIA  
County of Los Angeles

**ARREST WARRANT**

Probable Cause Arrest Warrant  
Ramey Warrant  
[Penal Code § 817]



THE PEOPLE OF THE STATE OF CALIFORNIA  
To any California peace officer

Warrant No. \_\_\_\_\_

Arrestee's name: \_\_\_\_\_, hereinafter "Arrestee"

Declarant's name and agency: *Detective Russell Venegas #733*, hereinafter "Declarant"

**ORDER:** Proof by Declaration of Probable Cause having been made to me on this date by Declarant, I find there is probable cause to believe that Arrestee committed the crime(s) listed below. You are therefore ordered to execute this warrant and bring Arrestee before any judge in this county pursuant to Penal Code §§ 821, 825, 826, and 848.

Crime(s): 242 PC - Battery

314.1 PC - Indecent Exposure

Bail: ☐ No bail ☒ Bail is set at: \$10,000.00

Night service authorization [required only for misdemeanors]

☐ Good cause for night service having been established in the supporting Declaration of Probable Cause, this misdemeanor warrant may be executed at any hour of the day or night.

4-14-16 9:06 am  
Date and time warrant issued

Judge of the Superior Court

*Alan B. Honeycutt*



ALAN B. HONEYCUTT

◆ Arrestee Information ◆  
For identification purposes only

Name: \_\_\_\_\_

Sex: ☒ M Race: W Height: 5'9" Weight: 190 Color of hair: Blonde Color of eyes: Green CDL: \_\_\_\_\_  
D.O.B.: \_\_\_\_\_ CII: \_\_\_\_\_

Last known address(es): \_\_\_\_\_

Vehicle(s) linked to Arrestee:

Other information:

# Exhibit 5



**Exhibit 5:** Audio recording of conversation with Charlie Ferrara, Bates labeled PLTF002027.MOV, Lodged with Court pursuant to Local Rule 11-5.1. See Notice of Lodging filed herewith.

# Exhibit 6

Man That's why, that's why people want to come back and like, oh, let's get those fuckers. People take him to the extreme because they got shit for the older people. Like you know, they wanted to prove themselves because they wanted a surfer, so they had to do things, you know, that were uncalled for, to like show they cared about stuff.

Woman Yeah.

Man Back in the day you could...back in the day, you could drink and drive. Everyone, you know, things were cooler back the day. You know, I'm just trying to give examples.

Woman Yeah.

Man The thing, you could get into a fight and not have to deal with the cops. Now you say something to someone, the wrong words and you're getting sued. That's all, I'm just trying to say, like, I don't know.

Woman Yeah, you're saying it's not good to take photos of the waves and share 'em with people.

Man Yeah, keep 'em. I have photos all over my house.

Woman Yeah.

Man But it's in my house.

Woman Believe me, I'm so lazy anyway that I'm like --

Man -- You seem super cool -- you seem so cool --

Woman -- I take photos of all kinds of stuff that I don't post.

Man -- No, no, you seem so cool and it just sucks that like, you know, you got the wrong vibe from everybody. That's what happens. Everybody deals with that down here. Everybody gets the wrong vibe, because that's the hazing, it's like a fraternity. They're going to be a dick to you because they want to see how bad you want it. You know what I mean, like a fraternity, they're going to make you drink frickin' piss to see how bad you want to be in this fraternity. They're gonna make -- you get what I'm saying, like?

Woman Yeah.

Man They're going to make you sit down here when it's all sunny or they're gonna make you walk up to a ... to the liquor store to go get 'em ice for their beer and you're, you know, tired, but, "oh, you want a slurpy? You gotta go do that." You know, just like...it's just respect, and it teaches people respect and how to be a man and like...they're all, it's all out of love.

Woman But what if you're a girl?

Man The rousing is all out of love.

Woman So that you think they're rousting me out of love?

Man No.

Woman Cuz I don't think --

Man No, they're rousting you because you're a newcomer.

Woman They're not rousting me out of love.

Man They're rousting you because you're a newcomer. You don't, you didn't know how to approach it.

Woman Yeah.

Man You didn't know how to approach it. Did you paddle straight out?

Woman I didn't even paddle out.

Man Exactly.

Woman Cuz I mean, I couldn't, like, I was just hassled so much that I just like had to leave. And that was the day that like the cops were down here and like they saw the whole thing and like they, you know, they went up the hill and like I have to file the report.

Man Well, I'll tell you what it is. No one here will ever touch you. They will never touch you. Ever. I don't care what they say, what they do, they will never touch you. They're not like that. They're family members. I promise you on that. They're good people. They just want --

Woman But I'm just saying it's scary being a girl.

Man Well, sure it is.

Woman I'm dealing with that, okay, like, yeah, if you're a guy.

Man But it's also scary being a guy when you have guys barking at you, too, you know. It's scary when you're a guy and you have fuckin' ten guys you know like, you know, gettin' gnarly on you.

Woman Yeah.

Man That's life. It's not just here. So many spots in this world you cannot even put your frickin' foot in the water. So many spots. Go up to Oregon -- oh my gosh, they'll like -- there are so many localized spots.

Woman But I mean, do you think that's okay? If it's like a public place, you know? I mean, I guess I don't get that, you know.

Man Listen, this is completely open to you. This is completely open to you. The surfing is different. The surfing is...the water, you know, whatever, yeah. I can't tell you you can't be down here. I can't tell you that, you know. I can't tell you you can't go

surfing, but what I can do is make sure you don't have fun out there. You know what I mean? And then what's the point of that? You're going to come here when the surf's good everywhere else and get burned and have a bad day? That's, cuz that's, you know, that's what we're gonna keep on doing. They want to come out we're just gonna on burning them and make them have a bad session because we're going to stick together and like attack cuz we are. We're family. We're all family in this, like, it's really uncool what's going on, how we're getting, you know, the wrap. We don't go bother people. They come to us. And maybe, you know, if they came down and showed some respect when the surf's good without the board, and hung out and got to know people who surf here, know the routes, know the background of the people here, that's a start. That's a start. The ladder's way up here because, like I'm trying to say, this is all they have. Some people don't have families. I'm trying to explain that to you. This right here, that's their god.

Woman Wow.

Man Just like how homeless people are homeless. You know, you go wow, that's crazy. This person's homeless and like, wow, isn't it crazy they love this place that much. Yeah, it is crazy, but that's how it is. They love it. It's their getaway. Life's not easy, you know. People go through gnarly things and this is their best outlet.

Woman I thought everyone here though is like really, you know, wealthy and doesn't have any --

Man No, fuck, people here are...no, these people are, they're not wealthy; they just get by. My dad does pretty good. We live in PV, but we're just getting by. You know, my dad's a surfer. He works on cars. He works his ass off. Hey, and yes, it's a bummer to see waves go like that. It is a bummer.

Woman That are unriden.

Man It is.

Woman Yeah, it's a real bummer.

Man It's a fuckin' bummer.

Woman You should be out there.

Man I know, I just, I just got out. I just got out. And that's why I was calling people get down here. Get the frick out. We need people surfing.

Woman Cuz that's the sad part is like to have such a great wave and then no one is ever --

Man But that's the thing, that's the thing, one day you see, you know, whoa, it's really good and no one's around, but you guys don't know how many people are tied into this spot. People up north that surfed here for 30 years back in the day that come down and surf, people that live in Torrance that have surfed here there whole life. People from all over, like they, you know and we're...everyone works, you know. So

there's times where people aren't there because of certain things. This place has enough people on it and for how...I mean, I don't know...how do I explain myself.

Woman I get it. I guess my point is like why can't everyone just get along. You know, why can't people ---

Man The reason is, the reason is one person gets along -- oh, they're cool -- everyone gets along, and then it turns into Rincon and Malibu. Oh, they got the sweet ticket...why didn't I get the golden ticket? Trust me, it's how it goes.

Woman But that's just part of dealing with the big city, isn't it? It's like you have to deal with crowds.

Man City? No, I'm not doing the city or anything. This is --

Woman Or, you know, LA.

Man I'm not dealing with them. I'm just dealing with...I'm not dealing with anybody. I'm not dealing with anything. I'm surfing. I came down here and me and you are having a talk.

Woman Yeah.

Man I just came up here to look for my friend's phone. That's what I came up here to do. And that's you know, that's another thing.

Woman But see, maybe if people were --

Man You know, I don't even know that you see, like are you recording? I don't know.

Woman No, I'm not recording.

Man You know, like, see I don't know. I don't know. And like, and that's what, that's what's happened to other people. They've been recorded and stuff while they're, you know, rousting them and get recorded and they get in trouble, but it's like...

Woman Cuz maybe there's better ways of doing it. I don't know. I'm just saying there could be like more peaceful ways.

Man Well that's why now we're not, you know, doing stuff, and now we're just burning people. Yeah, Joel, yeah, fuck yeah, Joel. He's a very good surfer.

Woman Yeah, he's great.

Man And that guy surfs all year. When the waves aren't good, everywhere else, because he ... that guy has gotten so much shit, that guy right there who just got that barrel.

Woman Okay, no one ever surfs there though. No one ever surfs there.

Man It's called truck drivers. There's a reason why. It's not the spot to sit, okay?

Woman           It's good sometimes though.

Man             You think you know that, but you know this wave. I know the wave. Very well.

Woman           All true. That is true.

Man             Okay. You surf that when it's high tide or deep, and there's reef all along here. Trust me, people I go, oh, those guys are pussies. They don't even fucking know. We charge so hard. We surf the pipeline. We surf all the heavy waves. It's just not a good spot.

Woman           Have you surfed pipeline?

Man             Yes, I have. I've surfed pipeline third reef. Massive.

Woman           How was it?

Man             As good as it gets. Fucking insane. My cousin, my cousin spent three years there. He taught me a lot about respect. About the lineup. About who to stay away from, who to talk to, who to be cool with.

Woman           Yeah.

Man             You know. It's all respect, and did you know that this bump was look wise before you came down here? Did you know? Be honest, cuz if you knew, then you knew what you were walking into and that was disrespectful. And that's where you went wrong. It's disrespectful.

Woman           To walk into a place?

Man             No. To walk, to paddle out to what they worked so hard to keep how it is. That's how they look at it.

Woman           Interesting.

Man             They cleaned all this shit. The cleaned from here all the way around, all the trash. It's called, I forget what they call it. It's a certain day once a year. They do a whole cleanup.

Woman           Yeah. I was thinking of helping with that.

Man             People are so rude to, people are so rude to you down here you have no idea. They're so cool. Like I said, penman, their kids are sitting right here and cooking dogs for the kids. We're surfing. It's not...it's just, it is how it is.

Woman           Well, yeah, I know what you're saying. It's that everyone is chilled here. I just think.

Man             No, I'm not saying that. I'm just saying --

Woman           Well between each other--

Man           What I'm saying is it is how it is for specific reasons. Like Rincon and Malibu. Guaranty you it will be like that. Indicator? There's a cliff there. I still see fifty people out. So did I get rid of your cliff theory? A little bit? A little bit?

Woman       I don't know, I mean, maybe, yeah.

Man           A lot of it? I did. Cuz anybody can walk on a cliff. It's not hard. It's really not hard.

Woman       I mean, I get your perspective. I just don't know why ---

Man           No, it's not, it's not my perspective. It's the way it's been here for--

Woman       Forever here pretty much.

Man           --Forever. As long as, as long as my dad was a kid. My dad's 59 years old. For 59 years it's been like that. Who are you to come here and change something? Get me?

Woman       Yeah.

Man           I'm sorry to say it like that. I don't, I'm not rude, but that's how they're looking at it, you know, some newcomers come and screw up what we have going on here and, ach! You know, you could have gone about it right and you didn't and I don't know why--

Woman       Well, I don't know, but it's not like I did it on purpose, like I didn't really know.

Man           I know, but like, now I don't know if people like, now if you come down without your board like you did right now which was super cool and you come down and like you come sit around here and people are here, I don't know if they're gonna want to talk to you. You know what I mean, because they're hurt, and I'll tell you what that wave back there does. It's only good if it's a deep one. If you're a surfer, man, it's only good if it's a deep one, 'kay, cuz there's the west bowl and the west bowl you won't be able to make it if you're back there. You got me? It's only good if it's a deep one. And there's not many, like only a rare deep one comes in. So this is the main local right here. This is the main local.

Woman       That's your buddy?

Man           Yup. This is the main local.

Woman       And he, is he chill or is he mean?

Man           He's pitched...Okay, so what I did was I had a kind talk with you guys and, um...

Woman       And I really appreciate it, you know, I've --

Man           No, no, no, he's gonna, and now, I'm gonna get yelled at, okay? You see?

Woman       Do you want me to talk to him?

Man           No, don't worry about it. I'm just saying, I'm gonna get nailed.



Woman Well then you should tell him that you know it's good you explained things to me because it's...my intention here is not to cause trouble, like I just, honestly, my intention is I just want to be able to come here and surf and like want everyone to be chill and have a good time.

Man Yeah, I appreciate that.

Woman And you know hopefully we can just all get along. That's all I want.

Man I agree with you, but I don't know like I just, you know, I don't know how it's gonna work. I'm sorry. I can't do anything. I didn't do it, you know.

Woman Yeah.

Man You seem really cool. I don't know, I'm sorry.

Woman What do they do with all the video that they get? Cuz they've taken a lot of videos of me.

Man Oh, because you video them. [inaudible]

Woman All right, well if you want me to [inaudible]

Man [inaudible]

Woman All right.

Man It really flames the tempers, huh.

Woman What?

Man It really flames the tempers, huh.

Woman Yeah. I know.

Man That's the way to get somebody to [inaudible]

Woman That's a really good one.

Man 'kay, do it. Nice.